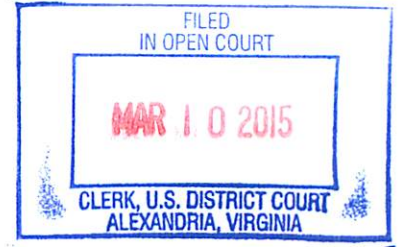


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

ARAELY SANTIAGO VILLANUEVA,  
a/k/a "Slow,"  
a/k/a "Lil Slow,"  
a/k/a "Spider,"

Defendant

Criminal No. 1:14-CR-306

**UNDER SEAL**

**NOT TO BE PUT ON PUBLIC DOCKET**

**STATEMENT OF FACTS**

The United States and the defendant, ARAELY SANTIAGO VILLANUEVA, a/k/a "Slow," a/k/a "Lil Slow," a/k/a "Spider," agree that, had this matter proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt:

1. ARAELY SANTIAGO VILLANUEVA is a member of a criminal organization known as La Mara Salvatrucha or MS-13. MS-13 is a violent international street gang involved in a variety of criminal activities, including murder, in the Eastern District of Virginia and elsewhere.

2. MS-13 has operated within the Eastern District of Virginia since approximately the 1990s. MS-13 members and associates are located throughout the United States, including Virginia, Maryland, New York, and California. MS-13 also has a large international presence in El Salvador, Guatemala, Honduras, and Mexico.

3. MS-13 recruits members and associates predominantly from the Hispanic community, typically juveniles. Recruits are “jumped in” to the gang by being physically beaten by members while a member counts to 13.

4. In order to protect the power, reputation, and territory of MS-13, members are required to use violence, threats of violence, and intimidation. These acts of violence often include murder and assault with a deadly weapon. MS-13 members achieve and enhance their status in the gang by participating in such violent acts.

5. MS-13 recruits are indoctrinated into MS-13 rules, which are ruthlessly enforced. One prominent rule encourages MS-13 gang members to confront, fight, and kill rival gang members, known as “chavalas.” When an MS-13 member encounters a chavala, he is to attack the chavala with anything available—from fists to machetes to firearms. In addition to attacking chavalas, MS-13 members are required to aid other gang members who engage in a fight. If a member violates this rule, he may be subjected to a beating or “calentón” for failing to perform his duty.

6. Another prominent MS-13 rule commands silence about gang activity and prohibits cooperation with law enforcement. If a member violates this rule, gang leadership issues a “luzón,” chapetón” or “encender el farol” which signals authorization to murder that member. A civilian may also be the subject of a “luzón” if the person is suspected of cooperating with law enforcement against the gang. Such murders are intended to deter others from challenging the authority and power of the gang and/or to silence the cooperator, or “rata.”

7. MS-13 is organized into local groups known as “cliques” that hold regular meetings to coordinate gang activities. Each clique is run by the senior leader who is designated the “First Word” and the second-in-command who is designated the “Second Word.” The

general members of the gang are known as “soldiers,” or “homeboys,” who take their orders from the “First Word” or “Second Word.” The leaders of the respective cliques attend larger general meetings to manage gang operations on a regional and international level. The Park View Locos Salvatruchas (“PVLS”) is an MS-13 clique operating in Northern Virginia, as well as Los Angeles and New York.

8. MS-13 members must attend clique meetings that are held once or twice a month depending on the clique. At some clique meetings, members are required to turn in to clique leadership the proceeds of drug dealing, which is used to finance clique activities, to provide support for clique members who are in jail, or to fund the MS-13 enterprise in El Salvador where many of the top gang leaders are based.

9. MS-13 is an ongoing organization whose members function as a continuing unit for a common purpose of achieving the objectives of the enterprise. Activities of MS-13 which affect interstate and foreign commerce include drug dealing and the transfer of drug proceeds to gang members in El Salvador.

10. MS-13, through its members and associates, engaged in acts involving murder and attempted murder, in violation of the laws of the Commonwealth of Virginia.

11. The defendant was born and raised in Guatemala. He entered the United States in 2012 and joined MS-13 at the age of 17. He is a member of the PVLS clique of MS-13.

12. In or about the summer of 2013, in Fairfax County, within the Eastern District of Virginia, the defendant, along with other members and associates of MS-13, participated in an armed robbery of an adult male. The defendant served as a lookout while another member of MS-13 robbed the victim at gunpoint with a .22 caliber revolver. They took an iPhone and a small amount of cash.



13. On or about September 26, 2013, in the City of Alexandria, within the Eastern District of Virginia, the defendant, along with other members and associates of MS-13, participated in assault of J.P., a juvenile male, whom the gang members believed to be a “chavala,” or rival gang member. Another MS-13 member badly injured the victim with a machete, including severing tendons in his hand. The defendant unsuccessfully attempted to prevent the victim from fleeing the scene.

14. On or about October 3, 2013, in Fairfax County, within the Eastern District of Virginia, the defendant, along with other members and associates of MS-13, participated in the assault of S.L., an adult male. The defendant and others kicked and punched the victim. The victim suffered a number of injuries.

15. On or about October 8, 2013, in Fairfax County, within the Eastern District of Virginia, the defendant, along with other members and associates of the local PVLS clique of MS-13, participated in the murder of another PVLS clique member, Nelson Omar Quintanilla Trujillo. The victim was lured to Holmes Run Park for a meeting under the pretext that he would receive a “calentón,” or beating, for his violation of gang rules. The defendant and other MS-13 gang members and associates killed the victim using knives and a machete and then some members buried his body in the park, while others, including the defendant, left the scene.

16. On or about March 29, 2014, in Fairfax County, within the Eastern District of Virginia, the defendant, along with other members and associates of the local PVLS clique of MS-13, participated in the murder of Gerson Adoni Martinez Aguilar. The victim of the murder, who was an associate (“chequeo”) of the PVLS clique, was lured to Holmes Run Park for a gang meeting under the pretext that he would receive a “calentón,” or beating, for his violation of gang rules. The defendant and other MS-13 gang members and associates killed the victim using

knives. The defendant then observed as one of the other MS-13 gang members severed the victim's head. They then buried the victim's body in the park.


17. The actions of the defendant, as recounted above, were in all respects willful, knowing, and deliberate, and were not committed by mistake, accident, or other innocent reason.

18. This Statement of Facts includes those facts necessary to support the Plea Agreement between the defendant and the United States. It does not include each and every fact known to the defendant or to the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

19. The Statement of Facts shall be admissible as a knowing and voluntary confession in any proceeding against the defendant regardless of whether the plea agreement is presented to or accepted by a Court. Moreover, the defendant waives any rights that the defendant may have under Fed. R. Crim. P. 11(f), Fed. R. Evid. 410, the United States Constitution, and any federal statute or rule in objecting to the admissibility of the Statement of Facts in any such proceeding.

Respectfully submitted,

Dana J. Boente  
United States Attorney

By:   
Stephen M. Campbell  
Julia K. Martinez  
Assistant United States Attorneys

After consulting my attorney and pursuant to the plea agreement entered into this day between the defendant, Araely Santiago Villanueva, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date:

3/10/15



Araely Santiago Villanueva  
Defendant

I am Araely Santiago Villanueva's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Date:

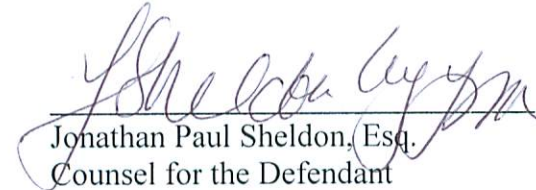
3/10/15



Lana Marie Manitta, Esq.  
Counsel for the Defendant

Date:

3/10/15



Jonathan Paul Sheldon, Esq.  
Counsel for the Defendant